

# BEST AVAILABLE COPY

Serial No. 10/081,800  
Docket No. NEC A337  
Amendment C

## REMARKS

The specification has been amended to employ more idiomatic English and to correct minor clerical errors. No new matter has been entered.

The claims have been amended to address the 112 rejections and informalities noted by the Examiner. With regard specifically to the rejection of the claims under 35 USC §112, first paragraph, the Examiner is directed, for example, to Figure 28K and the corresponding description on page 70, lines 6-9 which discuss "regions where a unit pixel is to be formed". Similar disclosure is contained throughout the specification for the several other disclosed embodiments.

Turning to the art rejection, it is noted claims 53 and 111 have been rejected as obvious from Kim et al. in view of Hasegawa et al., while claim 112 has been rejected as obvious from Kim et al. in view of Ono et al. Enclosed herewith is a Declaration Under 37 CFR 1.131 which establishes that the Applicants completed the claimed invention before the U.S. filing date of the Kim et al reference. In this regard Applicants provide the following table of drawing figures comparing the drawings in the Inventors' Disclosure attached to the 131 Declaration with the drawings filed with the U.S. Application.

Table Comparing Drawings

<u>Inventors' Disclosure Drawing Figure</u>	<u>U.S. Application Drawing Figure</u>
1	4
2	5
3	6
4	13
5	23
6	14
7	15
8	16
9	11

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<u>Inventors' Disclosure Drawing Figure</u>	<u>U.S. Application Drawing Figure</u>
10	12
11	17
12	36
13	37
14	38
15	39
16	7
17	8
18	9
19	18
20A-B	19A-B
21	20
22	21
23	22
24A-B	63A-B
25	24
26	25
27	26
28	27
29	10
30A-F	28A-F
31G-I	28G-I
32J-K	28J-K
33A-F	29A-F
34G-H	29G-H
35	29I
36A-F	30A-F
37G-H	30G-H
38	30I
39	31
40	32
41A-F	33A-F
42G-J	33G-J
43A-E	34A-E
44F-I	34F-I
45A-E	35A-E
46F-H	35F-H
47	40
48	41
49A-B	42A-B
50A-B	43A-B
51	44
52	45
53	46
54	47
55	48
56	49
57	50

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Docket No. NEC A337  
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<u>Inventors' Disclosure Drawing Figure</u>	<u>U.S. Application Drawing Figure</u>
58	51
59	52
60	55
61	54
62	56
63	57
64	58
65	64
66	65
67	53
68	59
69	60
70A-B	62A-B
71	61
72	66
73	67
74	1
75	2
76	3

Applicants note that the Kim et al. reference, which was published after the filing date of the subject application, has a November 13, 2001 U.S. filing date. Since this application was filed on or after January 1, 1996, pursuant to Section 531(b) of Public Law 10-465, the amendment made to 35 USC § 104 is applicable in this case. Accordingly, Applicants' Declaration Under 37 CFR 1.131 which clearly shows completion of the claimed invention in a WTO member country, i.e. Japan, prior to the November 13, 2001 filing date of the Kim et al. patent application, removes the Kim et al. published application as citable prior art under 35 USC § 102/103. Accordingly, the rejection of claims 53 and 11 as obvious from Kim et al. in view of Hasegawa et al., and the rejection of claim 112 as obvious from Kim et al. in view of Ono et al., cannot be maintained.

With regard to the election requirement, it is noted the Examiner has limited the examination to claims 53-112. It is respectfully requested that the non-elected claims be

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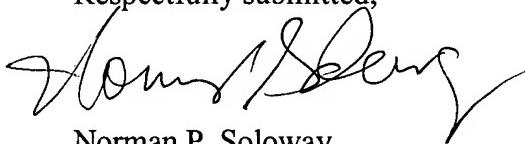
Serial No. 10/081,800  
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maintained in this application without further action thereon for possible rejoinder or for filing of one or more divisional applications.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27, 2004, at Tucson, Arizona.

By 

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